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SENATE BILL 1142
By Herron

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 1, relative to scoliosis screenings for students.

WHEREAS, the general assembly recognizes that scoliosis is a terrible disease of the spine that attacks children during their formative years. Scoliosis can be relatively easily detected and should be treated as early as possible; and

WHEREAS, the general assembly has determined that a scoliosis screening program is necessary and should be implemented through the public school nurse program; now, therefore, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. "Scoliosis" means a lateral curvature of the spine, which can develop into a permanent crippling disability if left untreated.

SECTION 2. The department of health in conjunction with the department of education shall institute a scoliosis screening program for public elementary and secondary school students, ages ten (10) through eighteen (18).

SECTION 3. The regulations shall provide that the department of education shall not be required to hire additional full-time or part-time personnel to implement this program, and shall

utilize public school nurses, other school health personnel, volunteers, and other school employees who meet the qualifications prescribed by the regulations.

SECTION 4. The rules and regulations shall provide, but not be limited, to the following:

(1) Advance written notice of the time of the scoliosis screening shall be given to the parents and legal guardians of the students;

(2) Parents or guardians of the students shall be provided with information on the causes, conditions, and effects of scoliosis, prior to the students' screenings;

(3) Qualifications of personnel authorized to administer screenings;

(4) Frequency of the screenings;

(5) The manner in which the schools or their agents conduct the tests;

(6) The manner in which screening results shall be made available to the parent or guardian of the student; and

(7) Notation of the screening and any follow-up activity shall be kept with the students' school health records.

SECTION 7. The scoliosis screening program shall be incorporated into the student health services enumerated in Tennessee Code Annotated, Section 68-1-1202 (3)(A).

SECTION 8. In the absence of an epidemic or immediate threat thereof, this section shall not apply to any child whose parent or guardian shall file with the school authorities, a signed, written statement that such immunization and other preventive measures conflict with the parent's or guardian's religious tenets and practices, affirmed under the penalties of perjury.

SECTION 9. The commissioners of both the departments of health and education are authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.

